IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5560 of 2001

For Approval and Signature:

HONOURABLE MR.JUSTICE D.A.MEHTA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BHAVNAGAR DISTRICT COOPERATIVEBANK LIMITED - Petitioner(s)
Versus
NANA AASRANA SEVA SAHAKARI MANDALI LIMITED & 11 - Respondent(s)

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Appearance :
MR SHIRISH JOSHI for Petitioner(s) : 1,
NOTICE SERVED BY DS for Respondent(s) : 1 - 2.
MR BJ TRIVEDI for Respondent(s) : 1 - 2.
MR JT TRIVEDI for Respondent(s) : 1 - 2.
RULE SERVED for Respondent(s) : 3 - 11.
- for Respondent(s) : 12,

MS KIRAN PANDEY, AGP. for Respondent No.12.

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CORAM : HONOURABLE MR.JUSTICE D.A.MEHTA

Date : 02/07/2007
ORAL JUDGMENT

1 It is an admitted position between the parties that except for the fact that respondent No.1 Society is a different Society viz. other than respondent No.1 – Society in Special Civil Application No. 5544 of 2001 and the order made by the Tribunal is dated 11.01.2001 in a different appeal the contentions of the parties remain the same. Hence, it is not necessary to set out the facts and contentions in detail.

2 In the circumstances, for the reasons stated in judgment of even date rendered in the case of *Bhavnagar District Co-operative Bank Limited Vs. Shree Nanopaliad Seva Co-operative Society Limited – Special Civil Application No. 5544 of 2001* this petition also does not merit acceptance on the preliminary issue and is accordingly rejected. Rule discharged. There shall be no order as to costs.

(D.A.Mehta,J)

m.m.bhatt